

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICANT:** 

John Sotos, et al.

**APPLICATION NO.:** 

10/721,115

FILING DATE:

November 24, 2003

TITLE:

Method and Apparatus for Evaluation of Sleep Disorders

**EXAMINER:** 

Patricia C. Mallari

**ART UNIT:** 

3736

## **CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313–1450, on March 14, 2006.

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## **AMENDMENT A**

Assistant Commissioner for Patents Alexandria, VA 22313

Sir:

In response to the Office Action mailed December 15, 2005, please amend the above application as follows. (All references are to the published version US 2005/0113646 A1 having publication date May 26, 2005.)

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032

LLS Patent and Trademark Office: LLS DEPARTMENT OF COMMERCE

Date 14 March 2006

Complete if Known

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FEE IRANSVIII   AL   Filing Date   November 24, 2003   First Named Inventor   Sotos   Examiner Name   Patricia C. Mallari   Art Unit   3736   Attomey Docket No.   APN-001    METHOD OF PAYMENT (check all that apply)   Check   Credit Card   Money Order   None   Other (please identify):   Deposit Account Deposit Account, the Director is hereby authorized to 1, check all that apply)   Charge fee(s) indicated below   Charge fee(s) indicated below, except for the filling fee   Charge fee(s) indicated below   Charge fee(s) indicated below, except for the filling fee   Charge fee(s) indicated below   Charge fee(s) indicated below   Charge fee(s) indicated below, except for the filling fee   Charge fee(s) indicated below   Charge fee(s) indicated below, except for the filling fee   Charge fee(s) indicated below   Charge fee(s) indicated below, except for the filling fee   Charge fee(s)   Credit any overpayments   Charge fee(s)   Charge	FEE TRANSMITTAL For FY 2006			Application Number	10/721,115				
Examiner Name Patricia C. Mallari  Art Unit 3736  Attorney Docket No.   APN-001    APN-001    APN-001   APN-001   APN-001   APN-001   ARTHOD OF PAYMENT (check all that apply)				Filing Date	November	November 24, 2003			
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METHOD OF PAYMENT (\$) 0   Art Unit   3736   Attorney Docket No.   APN-001	Applicant claims amall actitu status. See 37 CER 1.27			Examiner Name	Patricia C.	Patricia C. Mallari			
METHOD OF PAYMENT (check all that apply)	<del></del>	<u>-</u>		Art Unit	3736				
Check Credit Card Money Order None Other (please identify):  Deposit Account Deposit Account Number:  Deposit Account Deposit Account Number:  For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  Charge fee(s) indicated below Charge fee(s) indicated below, except for the filling fee Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments  WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  FEE CALCULATION (All the fees below are due upon filling or may be subject to a surcharge.)  1. BASIC FILING, SEARCH, AND EXAMINATION FEES  FILING FEES  Small Entity  Application Type  Fee (\$) Fee	TOTAL AMOUNT OF	PAYMENT (\$)	0	Attorney Docket No.	APN-001				
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Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments under 37 CFR 1.18 and 1.17  WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)  1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES Small Entity Sm	Deposit Account Deposit Account Number: Deposit Account Name:								
Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments  Under 37 CFR 1.16 and 1.17  WARRING: Information and information on bits form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  FEE CALCULATION (All the fees below are due upon filling or may be subject to a surcharge.)  1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES SMAILENTING SEARCH, AND EXAMINATION FEES Application Type Fee (\$) Fee (	For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)								
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Reissue 300 150 500 250 600 300  Provisional 200 100 0 0 0 0 0  2. EXCESS CLAIM FEES  Fee Description  Each claim over 20 (including Reissues) 50 25  Each independent claims 50 25  Each independent claims 50 25  Each independent claims 50 200 100  Multiple dependent claims 50 180  Total Claims 50 180  Total Claims 50 50 25  HP = highest number of total claims paid for, if greater than 20.  Indep. Claims 50 Fee (\$) Fee Paid (\$) Fee Paid (\$)  HP = highest number of independent claims paid for, if greater than 3.  3. APPLICATION SIZE FEE  If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets 50 CFR 1.52(e) Fee Paid (\$)  - 100 = 700 Fee Paid (\$)  Total Sheets 60 Fee Paid (\$)  Total Sheets 60 Fee Paid (\$)  Total Sheets 60 Fee Paid (\$)	Design	200	100 100	50	130 65		<del></del>		
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2. EXCESS CLAIM FEES  Fee Description  Each claim over 20 (including Reissues)  Each independent claim over 3 (including Reissues)  Multiple dependent claims  Total Claims  Extra Claims  Fee (\$)  Fee Paid (\$)  HP = highest number of total claims paid for, if greater than 20.  Indep. Claims  Extra Claims  Fee (\$)  Fee Paid (\$)  HP = highest number of independent claims paid for, if greater than 3.  3. APPLICATION SIZE FEE  If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets  Extra Sheets  Number of each additional 50 or fraction thereof  Fee (\$)  Fee Paid (\$)  Total Sheets  Fee Paid (\$)  Total Sheets  Number of each additional 50 or fraction thereof  Fee (\$)  Fee Paid (\$)  Total Sheets  Fee Paid (\$)	Reissue	300	150 500	250	300				
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listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets  - 100 = (round up to a whole number) x =  4. OTHER FEE(S)  Non-English Specification, \$130 fee (no small entity discount)  Other (e.g., late filing surcharge):  Signature	3. APPLICATION SIZE FEE								
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This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any complete, on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type) John G. Sotos

Amendments to the specification begin on page three whereas amendments to the claims begin on page seven. The Applicant's remarks begin on page 21. The Applicant's conclusion commences on page 38.